

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

PHYLLIS E. INFUSINO,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

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Case No. 14 C 1262


MEMORANDUM ORDER

This Social Security Disability Insurance appeal by Phyllis Infusino ("Infusino") has just come to this Court's calendar via random assignment. As her Complaint ¶ 11 states, on January 23 of this year this Court's colleague Honorable Robert Dow, Jr. granted in part Infusino's motion for summary judgment in an earlier appeal (Case No. 12 C 3852) and remanded that case to the Social Security Administration for further proceedings consistent with his opinion. Infusino's counsel concludes the Complaint here with the following:

That, given the very recent remand of the earlier and related case discussed above, Plaintiff would be agreeable to a consolidation of both cases to be remanded for a new hearing per the order of Judge Dow.

Because this Court has nothing before it in this case other than the typical skeletal recital encountered in complaints of this nature, it would appear likely that it wouldn't make much sense to have the parties engage in the typical cross-motions for summary judgment that Social Security appeals normally involve. Although "consolidation" is not really the correct label when Judge Dow's case has already been remanded and this one is just beginning, this Court is sending a copy of the current Complaint and this memorandum order to Assistant United States Attorney Eric S. Pruitt, who handled Judge Dow's case, to see whether it would be appropriate simply to

enter a comparable order of remand, leaving it to the United States Attorney's Office to make certain that the remanded case gets reassigned to the same Administrative Law Judge who will be handling Judge Dow's case on remand. This Court directs AUSA Pruitt to file a response with this Court in that respect (with a copy of course served on Infusino's counsel) on or before March 17, 2014.

A handwritten signature in black ink, appearing to read "Milton I. Snadur", followed by a horizontal line.

MILTON I. SNADUR
Senior United States District Judge

Dated: March 3, 2014